

Remarks

The Specification has been amended to present the abstract on a separate page in compliance with Examiner's request and 37 C.F.R. 1.72(b).

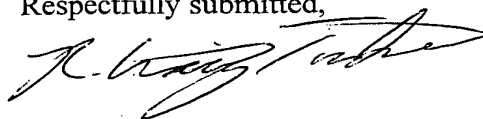
It is acknowledged with thanks that the rejection of Claims 1-17 under 35 U.S.C. 112, second paragraph, has been withdrawn.

Claims 1, 2, 5, 8, and 11-17 currently stand rejected under 35 U.S.C. 103(a), as being obvious over Hartog (EP 0 189 012). Claims 14-17 have been cancelled such that the rejection has been obviated with respect to these claims. Applicants respectfully traverse the rejection with respect to Claims 1, 2, 5, 8, and 11-13. As amended, the presently claimed compounds are new and non-obvious 5-HT_{2C} agonists and therefore are beneficial for treating disorders modulated by this specific receptor subclass. Hartog does not teach or suggest compounds having piperazinyl substituents other than lower alkyl. The present compounds must have a piperazinyl substituent selected from the group consisting of hydrogen, C₁-C₆ alkyl, phenyl, benzyl, hydroxymethyl, halomethyl, dihalomethyl, trihalomethyl, or benzyloxymethyl, which substituents are not obvious from Hartog's lower alkyl substituents. Therefore, the presently claimed compounds are in novel and non-obvious over Hartog and any other references known to Applicants. Withdrawal of the rejection is respectfully requested.

Claims 1-17 currently stand rejected under obviousness-type double patenting over commonly assigned U.S. Patent No. 6,638,936. Applicants respectfully disagree with this rejection, however, in an effort to progress prosecution to allowance, Applicants submit herewith an appropriate terminal disclaimer to obviate the rejection.

It is believed that all objections and rejections have been overcome or obviated. It is believed that all issues have been addressed and that the Claims are now in condition for allowance. A timely Notice of Allowance is requested.

Respectfully submitted,



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January 14, 2005